

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ESMELING L. BAHENA,

Plaintiff,

v.

MENDOZA,

Defendant.

Case No. 1:22-cv-01585-BAM (PC)

**ORDER GRANTING JOINT STIPULATION
TO AMEND THE DISCOVERY AND
SCHEDULING ORDER**

(ECF No. 88)

**Discovery Deadline: August 13, 2025
Dispositive Motion Deadline: September 9,
2025**

Plaintiff Esmeling L. Bahena (“Plaintiff”) is a state prisoner proceeding through counsel and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. This action proceeds on Plaintiff’s second amended complaint against Defendant Mendoza (“Defendant”) for excessive force and deliberate indifference to medical care in violation of the Eighth Amendment. All parties have consented to Magistrate Judge jurisdiction. (ECF No. 40.)

Pursuant to the parties’ informal discovery dispute conference and the Court’s order of April 10, 2025, the deadline for completion of discovery was extended until June 13, 2025 for the limited purpose of conducting the depositions of Defendant Mendoza and non-party witness Arellano, and the deadline for filing all dispositive motions (other than a motion for summary judgment for failure to exhaust) was extended to July 11, 2025. (ECF No. 85.)

///

1 On June 17, 2025, pursuant to the parties' joint stipulation and by Court order, the
2 deadline for completion of discovery was extended to August 12, 2025, for the limited purpose of
3 conducting the depositions of Defendant Mendoza and non-party witness Arellano, and the
4 deadline for filing all dispositive motions (other than a motion for summary judgment for failure
5 to exhaust) was extended to September 9, 2025. (ECF No. 87.)

6 Currently before the Court is the parties' August 11, 2025 joint stipulation to amend the
7 discovery and scheduling order to extend the current limited discovery deadline by one day.
8 (ECF No. 88.) The parties stipulate to extending this deadline in light of the intention for
9 Defendant Mendoza and non-party witness Arellano to be deposed by Plaintiff's counsel on
10 August 13, 2025. (*Id.*)

11 The Court finds good cause to grant the joint request to amend the discovery and
12 scheduling order. Fed. R. Civ. P. 16(b)(4).

13 Accordingly, IT IS HEREBY ORDERED as follows:

- 14 1. The joint stipulation to amend the discovery and scheduling order, (ECF No. 88), is
15 GRANTED;
- 16 2. The deadline for completion of discovery is extended from August 12, 2025, to **August**
17 **13, 2025**, for the limited purpose of conducting the depositions of Defendant Mendoza
18 and non-party witness Arellano;
- 19 3. All other requirements and deadlines, including the September 9, 2025 deadline for filing
20 all dispositive motions (other than a motion for summary judgment for failure to exhaust),
21 remain in place; and
- 22 4. **A request for an extension of the deadline set in this order must be filed on or before**
23 **the expiration of the deadline in question and will only be granted on a showing of**
24 **good cause.**

25
26 IT IS SO ORDERED.

27 Dated: August 12, 2025

28 /s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE